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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Consideration of reports submitted by States parties under article 18 of the Convention

Ninth periodic report of States parties due in 2017

Austria*

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List of abbreviations

AMS	Public Employment Service
B-GlBG	Equal Treatment Act in Federal Service
BVG	Federal Constitutional Law
GAW	Ombud for Equal Treatment
GlBG	Equal Treatment Act
GBK/GAW	Federal Act on the Equal Treatment Commission and the Ombud for Equal Treatment
StPO	Code of Criminal Procedure
StGB	Criminal Code
UN	United Nations
BGBl.	Federal Law Gazette

Introduction

1. Austria ratified the *Convention on the Elimination of all Forms of Discrimination Against Women* in 1982. This ninth Austrian report is the follow-up report to the combined seventh/eighth periodic report on CEDAW. The Federal Ministry for Health and Women coordinated the report. Federal and provincial government offices were involved in the process.

2. The first part of the report focuses on the implementation of the recommendations which the CEDAW Committee gave in their concluding observations. Part two concentrates on the implementation of the individual Articles of the Convention. The annex contains statistical data.

3. Based on the requirements for state reports to the United Nations (UN) Human Rights Treaties Division, the periodic report has been limited to the required word count.

I. Implementation of the recommendations on the seventh/ eighth Austrian report

Re 7 — Parliament

4. *> see re 56*

5. The Committee's concluding observations were translated to German immediately after receipt. They were published in a printed brochure and online.

6. In September 2013, the Federal Minister for Women informed all members of the Federal Government, heads of provincial governments, presidents of the National Council, the Federal Council and provincial parliaments as well as all members of the Parliament's Equal Treatment Commission and the presidents of the social partners in a personal letter about the concluding observations of the CEDAW Committee. The Minister emphasised that it is the obligation of every policy maker to contribute to the implementation of the Committee's recommendations. Copies of the abovementioned brochure were added.

Re 8 and 9 — Reservations

7. The *Regulation Governing Employment Bans and Restrictions for Female Workers* [1] contained special provisions for female workers. A review of the regulation showed that it can be repealed, since the remaining legal basis provides sufficient protection for the workers involved.

8. The document containing the withdrawal of the reservation was submitted to the United Nations Secretary General on 10 June 2015. [2] The Regulation was effectively repealed as of 1 September 2015.[3]

Re 10 to 13 — Constitutional framework and implementation of the Convention

Evaluation of the tools for the enforcement of equal treatment

9. Based on Austria's current government programme, existing tools for the enforcement of equal treatment were evaluated in 2016. The main goal was to assess the effectiveness of existing provisions and tools from the Equal Treatment Act

[1] BGBl. no. 696/1976.
[2] BGBl. III no. 82/2015.
[3] BGBl. II no. 230/2015.

(GlBG) and the Federal Act on the Equal Treatment Commission and the Ombud for Equal Treatment (GBK/GAW). Experts from several institutions and stakeholders were involved. Their diverse statements and conclusions can be found online in a final report.

Procedure before the Equal Treatment Commission

10. > *see re* articles *2 and 3, table 17*

11. The procedure before the Equal Treatment Commission is free of charge and does not require the involvement of a lawyer. Therefore there is no cost risk for the applicants. Easy access and the participation of social partners are further benefits of the system.

12. Recent amendments to the GlBG and the GBK/GAW contain measures to further improve procedural rules. Smaller senates, a stronger arbitration function and a streamlined questioning procedure aim to make the procedure shorter and simpler.[4]

Assignment of the Ombud for Equal Treatment

13. > *see re 20* and *21, 35d, 42 and 43, re articles 11 and 13, table 18*

14. The Ombud for Equal Treatment (GAW) offers comprehensive advice free of charge to people who consider themselves as being discriminated against in the private sector. At the same time the Ombud serves as the *National Equality Body*[5]. During the reporting period, the GAW was defined as an autonomous and independent office within the Federal Chancellery. The Ombud has one central and four regional offices. In contrast to the central office in Vienna, the four regional offices have so far only been responsible for equal treatment of men and women in the workplace.

15. Based on constitutional provisions, equal treatment legislation in Austria is divided into public service and the private sector on the one hand and federal and provincial areas of responsibility on the other. In an initial consultation, the Ombud fulfils a clearing function and helps people to find the office which is responsible for them.

Institutional coordination mechanisms

16. Since 2000, the inter-ministerial Working Group for Gender Mainstreaming/ Budgeting has supported gender mainstreaming and gender budgeting processes at federal administration level.

17. In order to coordinate activities to promote women's rights and equality between the federal and the provincial level, a regional dialogue, a conference for regional heads of women's departments and a meeting of anti-discrimination offices take place annually. In addition to that, regular meetings of human rights coordinators from the federal ministries and provincial administrations are held. Furthermore, a dialogue with non-governmental organisations whose aim is to fight discrimination and to promote the principle of equal treatment is held annually in keeping with the Equal Treatment Act.[6] This dialogue usually focuses on existing challenges. For example, the most recent event addressed the issue of *discrimination and hate on the net.*

[4] BGBl. I no. 107/2013.

[5] According to Article 20 of Directive 2006/54/EC, and Article 11 of Directive 2004/113/EC.

[6] GlBG, para. 62a.

18. During the evaluation of the equal treatment tools, some participants suggested the creation of a temporary expert committee to clarify questions of responsibility. Moreover, existing communication platforms should be used more extensively in order to bring more clarity to issues of responsibility and competence.

Multiple discrimination

19. The term *multiple discrimination* is currently mentioned in the context of legal consequences. In cases of multiple discrimination, this must be considered when determining compensation for personal disadvantage. [7] As the term *multiple discrimination* is openly formulated, it leaves room for interpretation for legal practitioners. This means that all forms of multiple discrimination are covered. However, law enforcement appears difficult as the term does not figure prominently in the GlBG. During the evaluation process mentioned above, some experts suggested introducing a provision that clarifies the individual forms of multiple discrimination.

Appropriate compensation

20. In some cases, the GlBG defines limits to compensation awards, in other cases it doesn't.

Levelling-up

21. Discrimination based on gender is prohibited in terms of access to and supply with goods and services. It is not prohibited, however, in the fields of education and social protection. In these areas, protection against discrimination only applies to discrimination based on ethnicity. There is no protection for cases of discrimination based on other grounds outside of the work environment. So far, no agreement could be reached on a political level to adjust provisions regarding protection outside of the work environment.

Re 14 to 19 — National mechanism for the advancement of women

Budget and subsidies

22. Since 1 January 2009, de-facto equality of men and women in public budgeting has been defined as an objective in the Federal Constitution. [8] This requirement has been implemented in federal budgeting since 1 January 2013 as part of Austria's outcome-oriented budget management. [9] All federal ministries and bodies (parliament, constitutional court, etc.) are required to define a maximum of five outcome-oriented objectives for the annual budget. One of these objectives must be a goal related to equality. Appropriate indicators to evaluate the results must be defined. This makes gender budgeting a financial policy tool for the gender mainstreaming strategy.

23. The budget for the Minister for Women and Equality has remained unchanged since 2011. About 60 per cent of the total budget is earmarked for projects to promote women. The remaining amount is mainly used to fund violence protection centres and intervention centres.

24. Another important focus is the expansion and financial security of counselling and support services for women. Annual subsidies increased by roughly 10 per cent from 5.4 million euros in 2011 to 5.9 million in 2013. The amount remained the

[7] GlBG, para. 12 (13).
[8] BVG, article 13 (3).
[9] BVG, article 51 (8).

same from 2014 to 2016. Of these resources, 90 per cent are used to maintain, enhance and expand comprehensive counselling and consultation services for women and girls. Since 2011, 13 new recognised services centres for women have been established. About 10 per cent of budgetary resources are used to fund projects focussed on women. This is mainly aimed at increasing awareness about gender equality and creating further development potential and opportunities for women.

25. Together with other federal, provincial and municipal authorities, the Minister for Women provides annual funding for about 130 consultation centres for women and girls across Austria. These centres serve about 90,000 women and girls every year. Funding is also granted to 6 helplines for women, an online counselling service as well as women's shelters and emergency housing. The service centres and helplines for women have multi-annual framework agreements and receive annual core funding of 50,000 euros and an additional 10,000 euros for every officially recognised affiliate office.

Appointment of the Ombudsman Board

26. The Ombudsman Board consists of three members who alternately chair the board. The three members are appointed by the three parties with the highest number of seats in the National Council and are then elected by the National Council. This appointment procedure ensures the required democratic legitimisation, an essential characteristic of a parliamentary democracy. The members of the Ombudsman Board are fully independent and cannot be suspended from their office, transferred or dismissed over their six-year term. The term of office can be extended once.

NAP on Human Rights

27. In the government programme 2013 -2018, the Austrian Federal Government included the objective to develop and implement a National Action Plan on Human Rights. This Action Plan aims to provide a common framework for existing sectoral action plans in the field of human rights and identify and close gaps in human rights protection in Austria. The Plan will include measures to promote the rights of women with regard to gender equality as well as the right to an appropriate standard of living. However, the NAP on Human Rights will not include or amend measures for specific human rights focus areas from existing sectoral action plans such as equality of men and women in the labour market, fighting violence against women and the implementation of the UN Security Council Resolution 1325. The NAP is based on a consultation process between public bodies, civil society and the general public.

Re 20 and 21 — Temporary special measures

Women in leadership and decision-making positions in the private sector

28. > *see* table *8*

29. According to an annual study of the top 200 enterprises conducted by the Chamber of Labour, the representation of women in leadership and decision-making positions in the private sector is slowly increasing. In 2011, 4.4 per cent of CEOs and 10.3 per cent of supervisory board members were women. These numbers increased to 7.2 per cent and 17.7 per cent respectively by January 2016.

30. There is no legal requirement for gender parity in leadership and decision-making positions in the private sector.

31. The leadership programme *Future.women* prepares women who are potential candidates for leadership positions in their company for management and

supervisory board positions. A publicly accessible database for female board members complements the programme. Currently 460 women are registered.

32. In order to increase awareness of enterprises and decision-makers such as HR managers and head hunters, a project called *Women are top! To the top by innovative corporate cultures*, co-funded by the European Union, was carried out. The aim of the project was to foster gender-responsive organisational cultures and more representation of women in supervisory boards, leadership and management positions. Successful measures of Austrian companies were collected and presented. Furthermore, an online simulation tool called *Choose your board* was developed for training and reflection. The tool and the equality measures mentioned above can be accessed online and free of charge at *www.frauenfuehren.at/english/*.

33. According to Paragraph 8 of the GlBG, private enterprises can implement measures to promote equality between men and women. The GAW has invited companies since 2015 to use the GAW's expertise to promote equal treatment and equality within their corporate culture.

34. Voluntary commitments of state-owned and state-related enterprises should serve as an example for the private sector. Due to women's under-representation at top management level, the Cabinet introduced a quota on the 14 March 2011 for the share of women representing the federal state in the supervisory boards of state-owned and state-related enterprises with a 50 per cent share or more held by the federal state. A step-by-step scheme aims to increase this share to 35 per cent by the end of 2018. The quota is assessed annually. It increased from an average 26 per cent in 2011 to 38 per cent in 2015.

Action taken in the federal provinces

35. In 2011, the **Vorarlberg** parliament decided to raise the proportion of women in supervisory boards of companies with a majority holding of the province to 25 per cent, if possible. At 19 per cent, women's representation was below target by the end of 2015. The share of board members representing the provincial authorities was 36 per cent.

36. The province of **Styria** adopted a directive on the commercial shares by the provincial authorities in 2013. The share of women in supervisory board positions held by the authorities should increase to 35 per cent by the end of 2018.

Women in decision-making positions in education and science/academia

37. > *see* table *16*

38. Achieving a balanced gender ratio in scientific leadership positions, scientific bodies and young scientific/artistic staff is one of the targets of Austria's outcome-oriented budget management. Having a balanced gender ratio in research, teaching and academic administration is one of the priorities of the *Austrian University Development Plan* for 2016 to 2021. Moreover, gender equality is one of the six priorities in the Austrian roadmap for establishing and developing the European Research Area. The roadmap includes measures to increase women's representation in all areas and at all hierarchy levels.

39. The minimum share of women in collegial bodies at universities increased from 40 to 50 per cent in keeping with the 2015 Amendment to the Universities Act.[10] This provision applies mainly to the rectorates, senates, university councils as well as appointment, habilitation and curriculum committees. In 2015, 48 per cent

[10] BGBl. I no. 21/2015.

of rectorate members, 48.6 per cent of university council members and 42 per cent of senate members were female.

40. Women accounted for 46 per cent of scientific and artistic staff in 2015. Only 22.6 per cent of all professors were female in 2015. Therefore, one of the goals is to increase women's representation in scientific and artistic leadership positions. The 2015 Amendment to the Universities Act [11] introduced two new professorship categories. This increases the chances for qualified young researchers to obtain a professorship position through tenure track positions. Furthermore, public universities defined targets to increase the share of female professors and the share of women in tenure track positions. The latter include permanent contracts and are therefore very attractive for talented young scientific and artists.

41. The *Laura Bassi Centres of Expertise* are part of a programme for excellence which promotes women as leaders of applied research centres. These centres serve as an interface between the field of science and the commercial sector.

42. Public support is granted to research organisations promoting equal opportunities for women and men.

Participation of women in political life

43. > *see* tables *9-11*

44. Currently, 25 per cent of members of the Federal Government (ministers and state secretaries) are women. Between 2011 and 2013, more than 40 per cent of Austrian ministers were female. Women account for 31 per cent of National Council members following the 2015 elections. This is a 3 per cent increase compared to the period after the elections in January 2011.

45. Representation of women in provincial governments currently stands at 33 per cent with different developments in the individual provinces over the last few years. Compared to governments, the representation of women in provincial parliaments has increased more significantly since 2011 and currently stands at 33.2 per cent. Only 7 per cent of all mayors are female.

46. There are no legal requirements for minimum shares or rankings of nominations for elections to the National Council and provincial parliaments. Three out of six parties represented in the National Council voluntarily committed to achieve or maintain a certain share of women. One party committed to have a minimum share of 50 per cent women and the other two parties committed to a quota of 40 per cent.

Action taken in the federal provinces

47. In order to strengthen women's representation in political life, some provinces introduced quotas and specific outcome-oriented targets for budgeting. All provinces held seminars about education and vocational training and introduced mentoring programmes for future female politicians and women who are interested in politics.

[11] BGBl. I no. 131/2015.

Re 22 and 23 — Gender stereotypes

Re 23a

Strengthening the contribution of fathers to childcare and household work

48. The participation and contribution of fathers slightly increased as a result of current child allowance provisions. A reform of child allowance legislation, which became effective on 1 March 2017, changed the current system. While formerly four different general child allowance options were available, the system is now based on a child allowance account. This will add flexibility, freedom of choice and fairness to the child allowance system. Furthermore, a partner bonus will be introduced as an additional incentive for sharing childcare and household work. Both parents receive a one-off payment of 500 euros each if they are granted child allowance for roughly the same time, i.e. the period during which child allowance is received must be distributed either 50:50 or up to 60:40.

49. Employees in federal service have had the right to a "baby month" since 2011. The baby month is unpaid parental leave for fathers and can be used for a maximum of four weeks after the birth of a child. Between the beginning of 2011 and the end of 2016, 1,927 fathers made use of the baby month. Seven provinces have introduced similar options.

50. Since 1 March 2017, fathers have been able to take a "daddy month" ("family leave") in the private sector as well. After the birth of a child, fathers can spend between 28 and 31 days at home with their family. During this time, they receive a one-off child allowance of 700 euros (also for same-sex partners) and they have full pension and health insurance coverage. The "family leave" is not a legal right, which means that employers must agree.

51. In 2015, a project called *Men and the reconciliation of work and family life* was launched by federal ministries in cooperation with research institutes and social partners. One of the project's goals is to develop strategies to improve general conditions in companies in order to promote a fair distribution of childcare and household work and build awareness about the positive effects of shared responsibility for parenting. Moreover, an online calculator was introduced in November 2016. The simple tool is available free of charge at *www.gleich-berechnet.gv.at* and allows parents to calculate the implications of a fair distribution of employment and childcare on the shared household income.

Revision of the parental leave system and part-time working provisions for parents

52. An Amendment to the Maternity Protection Act and the Paternal Leave Act[12] defined a legal working time range for part-time work of parents and included an additional period for informing the employer about parental leave plans. These amendments entered into force on 1 January 2016. Regarding part-time work of parents, working hours must be reduced by a minimum of 20 per cent of the usual working hours per week. Moreover, parents who make use of part-time arrangements are required to work a minimum of 12 hours per week.

Raising awareness to overcome stereotypes

53. In order to overcome gender-based stereotypes, a number of projects, public events and studies were carried out. The organisation *Gender Platform* held a subsidised workshop series in 2011, 2012 and 2014. The aim was to raise awareness

[12] BGBl. I no. 149/2015.

about gender-based stereotypes, increase self-reflection and find a more gender-sensitive approach to schooling and teaching. The target group were educational institutions such as schools and kindergartens.

54. The subsidised symposium *Girls*boys*gender*AND* addressed topics and challenges related to working with girls and boys from a gender-sensitive perspective. The inter-disciplinary and inclusive event made a major contribution to enhance professionalism in gender-sensitive child and youth work.

Action taken in the federal provinces

55. Reconciliation of work and family life was the 2016 focus of the women's department of the government in **Carinthia**. A cinema commercial about fair distribution of family and household work and a theatre play for schools about roles and stereotypes were created.

56. In **Vorarlberg**, a cross-border project called *Regarding:role* was organised to reduce gender-based stereotypes. A poster campaign and a travelling exhibition were additional initiatives designed to foster reflection on stereotypes.

57. **Lower Austria** adopted a *Parents & Economy Charter* in 2011. The charter aims to promote a corporate culture which fosters reconciliation of work and family life and stronger contribution of fathers to childcare. About 90 companies have signed the Charter so far.

Re 23b

58. The 2013 Amendment to the Federal Service Code [13] made gender and diversity competence a requirement for future teachers in the amended employment law for teachers. In 2014, the first Austrian professorship of gender pedagogy was introduced at a university college for teacher training. In this context, a Federal Centre for Gender Pedagogy and Gender Studies was established and offers a wide range of education and training opportunities. In 2016, women and gender history was integrated into new curricula.

59. Gender and diversity management was defined as a central task of school administrations in the relevant school administration law. A number of self-evaluation tools were developed for quality development. Furthermore, technical schools created a network of gender and diversity experts who organise periodic meetings and seminars. In 2015, the Austrian School Prize was for the first time awarded to schools which made gender equality and the reduction of gender-based stereotypes one of their areas of focus.

60. Moreover, school books in elementary schools were analysed in 2012 with a special focus on gender-based stereotypes. The analysis showed that progress has been made towards more gender equality. In the future, the findings of gender studies should more quickly become part of school books. The implementation of the findings was further discussed in meetings with authors, publishers and reviewers of school books.

61. In order to reduce gender stereotypes in the tertiary education sector, Universities Austria put together a working group in 2016. The group's main tasks are enhancing gender competence of members of higher education institutions, raising awareness about gender diversity and promoting gender equality.

62. Awareness-raising events were also organised for teachers outside the typical school environment. In 2016, external experts led a series of seminars on gender and

[13] BGBl. I no. 211/2013.

diversity for teachers at military schools. In order for the series to continue, members of the military service were trained as trainers for gender- and diversity-responsive teaching.

Action taken in the federal provinces

63. The province of **Burgenland** is currently carrying out a project with an aim to build a support structure for gender-sensitive career information and orientation in kindergartens and elementary schools.

64. In **Vorarlberg** teachers had the chance to attend workshops about methodological implementation. Furthermore, guidelines for gender-sensitive adult education and training were set out.

65. The province of **Lower Austria**, together with other European equality and research institutes, worked on a two-year project named *GenderStrat4Equality* to develop a European standard for gender training. The *Curriculum Portfolio* was presented at an international conference in 2016.

Re 23c

66. *> see tables 12-15*

67. Despite the fact that the labour market is still dominated by gender stereotypes, Austria has made progress in this context. For example, the number of female apprentices in technical occupations has steadily increased over the last ten years. The number of female apprentices in the *metal technology* category compared to the total number of female apprentices serves as an indicator. This number increased from 1.9 per cent in 2013 to 2.9 per cent in 2015. The number of female apprentices in the occupational category *electrical engineering* and *electronics* rose from 295 apprentices in 2005 to 557 in 2015.

68. A number of nationwide and provincial initiatives, projects and support mechanisms for women and girls are designed to overcome access barriers to education, training and work opportunities in the fields of natural science and technology. Many initiatives can be found at the online platform *www.meine-technik.at*. It provides comprehensive information for the target group, i.e. women and girls, as well as interested teachers, companies and parents. The platform has about 4,600 visitors every month and currently provides information about 336 projects free of charge.

69. Existing successful initiatives to reduce gender-based stereotypes in the context of career choices will be continued and expanded. For example, an action day called *Girls' day* has taken place in federal service every year since 2006. About 2,500 girls participated in the 2016 Girls' day. This action day is aimed to raise girls' interest in technological and future-oriented careers. In parallel, an event called *Girls' day MINI* was held in the federal service in 2015. About 390 children from 23 kindergartens used this opportunity to find out more about technology and science.

Action taken in the federal provinces

70. The project *Technical colleges for children* in **Styria** teaches pupils in primary school basic skills in engineering and natural science.

71. **Lower Austria** has organised *Tech-datings* in trade schools and new secondary schools since 2013, which aim to help girls to find the right career path. They were introduced to regional firms which could be their future employers.

72. The province of **Vorarlberg** intensified efforts to attract young men to the job of kindergarten teacher. *Boys' days* have been organised and more people in alternative service (community service in lieu of military service) have been given the opportunity to work in kindergartens.

73. **Burgenland** hosted an education and training exhibition for school students with the aim of attracting more girls into technical professions and more boys into social occupations.

74. A mentoring programme was designed in **Upper Austria** which prepares female students for professions and/or university studies in the field of technology and engineering so that they stick to professions in this field after their graduation from technical colleges.

75. **Vienna** has hosted an annual *Daughters' day* since 2002 to support young women between 11 and 16 years of age in careers in the fields of technology, engineering and natural science. About 3,000 girls and 160 companies participated in each event in the last two years.

Re 23d

76. In 2013, the Federal Act on Cosmetic Interventions and Treatments[14] entered into force. Its main aim is to protect women's health and ensure their physical integrity. This should lead to better protection against complications and adverse events during and after cosmetic surgery and treatments without medical indication.

Action taken in the federal provinces

77. Counselling and information services exist in all provinces, some of which specialise in eating disorders. Furthermore, day clinics, out-patient clinics, in-patient services as well as shared living concepts exist throughout the country. **Burgenland**, **Lower Austria**, **Salzburg** and **Vienna** have specialist counselling and therapy services for eating disorders in addition to the services mentioned.

78. The eating disorder helpline offered by the **Vienna** health promotion service provides telephone and email counselling. Furthermore, information leaflets for doctors were produced. Information and training events were organised specifically for doctors, kindergarten and school teachers.

Re 23e

79. In 2011, an *Anti-Sexism Committee* was integrated into the complaint procedure at the Austrian Advertising Council. The Committee provides academic expertise on complaints about gender-based discrimination in advertising. The Committee's assessment informs the Council's opinion on whether to recommend withdrawing the commercial in question. This is only a recommendation, however, and not a binding decision. The number of complaints about discriminatory advertising based on gender has continually increased and accounted for almost 60 per cent of all complaints made in 2016.

80. While the Advertising Council operates throughout Austria, *advertising watch groups* have been founded in Graz, Vienna and Salzburg in 2009 and 2012. These groups work to prevent and highlight sexist advertising content and deal with complaints. The advertising watch groups also concentrate on awareness-raising amongst professionals and the general public. Symposiums on ethics in advertising, gender-based stereotypes in journalism and advertising were held in Vienna in 2014 and 2015.

[14] BGBl. I no. 80/2012.

81. In 2014, a *retouch barometer* was designed and made available on the web page of the Advertising Council. The barometer assesses the degree to which promotional photographs are real in terms of beauty and slimness. Its aim is mainly to promote a critical view of advertising and advertising consumption in young people.

Re 24 and 27 — Violence against women

Re 25a

82. Austria already reported on this specific recommendation in the follow-up report of March 2015. In addition to that, the inter-ministerial Working Group on the *Protection of Women against Violence* has been institutionalised and expanded. It involves representatives from all federal provinces and ten leading civil society institutions.

83. Furthermore, two sub-working groups were formed to deal with *perpetrator work for victim protection* and specific *occupational training, especially in the health care sector*. A subsidised project to elaborate standards for health care curricula was launched as well.

Re 25b

84. Austria already reported on this specific recommendation in the March 2015 follow-up report. Austria ratified the Istanbul Convention on 14 November 2013 which entered into force on 1 August 2014.

85. In keeping with Article 10 of the Convention, a national coordinating body dealing with *violence against women* was established within the Ministry of Women. This body produced Austria's first report on this matter in cooperation with line ministries, the provinces and selected civil society institutions. The report is available in German and English on the website of the Ministry of Women.

Re 25c

86. A residence permit can only be granted or extended if certain general and specific requirements listed in the Settlement and Residence Act are fulfilled.[15] The general criteria (housing, health insurance, sufficient livelihood, knowledge of the German language) must be fulfilled by all third country nationals. The specific criteria are based on the reasons of an individual for being in Austria, for example as a family member, for study or work purposes.

87. Family members receive an individual right of residence from the beginning of their stay. This means that in case of loss of family member status, for instance after a divorce, further right of residence can be granted if the general criteria are met. This provision takes the special situation of victims of violence in the family or forced marriage into account. Right of residence can therefore be granted even if one or several of the general criteria are not met. There is no room for discretion for the authorities as this is a legal right. It is therefore possible for victims of domestic violence or forced marriage to be granted long-term right of residence.[16]

Re 25d

88. Seminars about violence against women and traumatisation are a mandatory part of the training for candidate judges. The seminars are held in cooperation with officially recognised victim protection institutions and violence protection centres.

[15] BGBl. I no. 100/2005, replaced by BGBl. I no. 122/2015.
[16] Settlement and Residence Act, para. 27.

Content of the training includes information about the Protection against Violence Act, interim injunctions, victim protection and the Act Governing the Victims of Crimes, judicial and psycho-social assistance for victims as well as how to deal with traumatised persons. Furthermore, in keeping with the Act on Judges and the Prosecutor's Office, every candidate is required to undergo training in a victim protection or welfare institution for at least two weeks.

89. Further training options for judicial staff include events about sexual/sexualised violence, domestic violence and stalking, dealing with victims in civil and criminal proceedings, danger assessment models, the rights of victims as well as legal and psycho-social assistance. For example, a three-day inter-disciplinary seminar on *collaboration in criminal proceedings* took place in 2015. Seminars about *danger assessment for perpetrators of domestic violence and stalking* were held in 2016.

Re 25e

90. Awareness-raising campaigns about all forms of violence against women and specific projects to support victims of violence were continued and expanded during the reporting period. A campaign about a *life free of violence* was carried out in 2014/2015 which included the following initiatives:

(a) posters, flyers, videos and radio spots to make the *helpline for women* more widely known;

(b) awareness-raising events for the general public about violence against women and support options;

(c) support of third parties in implementing projects against violence — 136 partners serve as multipliers across Austria;

(d) workshops and information material for five different target groups: health care managers, occupational groups involved in high-risk cases, migrants, adolescents and journalists.

91. An information campaign about *date rape drugs* was launched in 2012 and extended in 2014. After the 2015 Act Amending the Penal Code[17] entered into force on 1 January 2016, an information campaign was launched in order to make the amended legislation about sexual violence more widely known. This campaign comprised online information material, a social media series, contributions in daily newspapers and posters.

92. Furthermore, a smartphone app called *fem:HELP-App* has been available online since 2013. The app helps women and girls to get in touch with support centres quickly and easily and to document different experiences of violence. The app also includes direct access to the emergency number of the police, the emergency number for deaf people and the helpline for women. It is available free of charge in German, English, Turkish and Bosnian-Croatian-Serbian.

93. In 2015, a three-year pilot project called *PERSPECTIVE:WORK* was started. The main aim of the project, which also introduced Austria's first social impact bond, is to integrate victims of violence into the labour market. A minimum of 75 women should be integrated into the primary labour market through the project to secure their livelihood.

94. Gender aspects have been consistently incorporated into the *National Strategy on Violence Prevention in Schools*. Information and teaching material, workshops, dialogues and qualification initiatives for students and key multipliers in schools all

[17] BGBl. I no. 112/2015.

address (sexual) violence against women and girls, honour crimes, stereotyped beauty ideals for girls, bullying in schools and anti-sexist boys work.

95. A number of awareness-raising campaigns and training initiatives in different organisations and scientific institutions receive public funding, including the following. As part of a pilot project about trans-cultural prevention of violence and health promotion, violence prevention concepts for teachers, girls and boys with a migrant background and their parents were developed and implemented. Moreover, the *African Women's Organisation* initiated several projects which focused on female genital mutilation and medical and social support and counselling for African women and girls.

96. In addition to the information campaigns mentioned, different brochures are available free of charge. They are updated on a regular basis and address topics such as the rights of female victims of violence and support options, forced marriage and female genital mutilation.

Action taken in the federal provinces

97. In **Vorarlberg**, healthcare and care professionals were trained to recognise domestic violence as a potential cause of injuries and to offer adequate ongoing support to victims.

98. In **Styria**, events about *perpetrator work for victim protection* and *honour crimes* were held to raise awareness and provide networking opportunities for relevant regional actors.

99. In **Vienna**, the 24-hour helpline for women held 8,775 counselling sessions in 2015. Currently, there are about 175 places for women and children in four different women's shelters. Another initiative is the *Vienna Action Plan against FGM* which focuses on prevention and medical care. In this context, seminars were held for 300 kindergarten teachers, 250 staff members from seven hospital delivery wards and 60 youth social workers.

Re 25f

100. The number of places in women's shelters increased over the reporting period. Currently, 26 autonomous and four other women's shelters offer a total of 766 places. Female asylum seekers are generally taken in in women's shelters, and cooperations exist with homes for asylum seekers.

Re 25g

101. *> see re 27c*

102. The criminal statistics of the police comprise the following categories for perpetrator-victim relationships: *known to each other, family relations with or without shared living space, unknown, no relationship* or *chance acquaintance*.

103. Since December 2011, age, sex and nationality of victims are registered during the judicial automation process, and these data are directly integrated into police reports. Evaluations can be made for individual crimes or crime groups. The automation process only collects information about the perpetrator-victim relationship in cases of close family relations. The interface between different statistics is currently being improved.

Re 27a

Migrants and persons with a migrant background in the police

104. The Vienna police authorities estimate that about 7 per cent of law enforcement staff have a migrant background. They are trying to increase this number.

105. An initiative to approach Austrian female nationals with a migrant background and encourage them to take up a job in law enforcement was launched ten years ago.

Dialogue between police and migrant communities

106. A project that aims to enhance and extend the dialogue between police and civil society representatives was started in 2008. Moreover, the platform *Civil Society Dialogue* allows representatives from the Ministry of the Interior to discuss relevant topics with representatives from victim protection centres, intervention centres, the culture association of Austrian Romani, the organisation *Schwarze Frauen Community* (*Black Women Community*), the Austrian UNHCR office and the Islamic religious community.

Re 27b

107. > *see* re *article 6*

108. The Act Amending the Criminal Procedure,[18] which took effect on 1 June 2016, extended the protection and rights of victims in criminal proceedings with the following measures.

109. The group of emotionally particularly affected victims[19] now includes persons whose personal dependency might have been used to commit an intentional crime (e.g. in cases of human trafficking where another person took advantage of their authority or an emergency situation). This means that these victims have the undoubted right to psycho-social and legal assistance in proceedings.[20]

110. Furthermore, an additional victim category for highly vulnerable victims was created,[21] including victims whose sexual integrity or right to self-determination might have been violated, who might have been subjected to domestic violence or who are under age.[22] These persons have extended victims' rights. In particular, they have the right to demand that a person of the same sex conducts the interrogation, if possible.

111. In addition to that, highly vulnerable victims have the right to an adversary interrogation without physical presence of the suspect (this is a mandatory requirement for victims of sexual crimes who are under age).[23] Moreover, they have the right to be immediately and officially informed about the release of the accused from custody or provisional detention or an escape of the accused.[24] Victims must be informed about these rights by the criminal police or the prosecutor's office prior to their interrogation at the latest. The information must be given in a language the person understands and in an understandable way, taking potential special needs into account.

[18] BGBl. I no. 26/2016.
[19] StPO, para. 65 (1a).
[20] StPO, para. 66 (2).
[21] StPO, para. 66a.
[22] StGB, para 74 (1/3).
[23] StPO, para 165 (4).
[24] StPO, para. 66a (2).

112. Language support for victims was expanded and now includes written translations in addition to oral interpretation during interrogations. Several essential documents must be translated upon request of the victim.

113. The EU Regulation on mutual recognition of protection measures in civil matters[25] has been applicable since 11 January 2015. This allows victims of domestic violence who have been granted a protection measure in an EU country to take this measure with them under certain conditions when they move to or visit another EU member state. In order to allow the operational applicability of the Regulation, explanatory procedural rules have been integrated into the Enforcement Code,[26] and an implementation decree was issued to support courts.

Re 27c

114. *> see re 25g*

115. The nationality of victims of violence is registered as part of the judicial automation procedure. This does not show, however, whether the person has a migrant background or actual migration experience. Social data and ethnicity are not registered.

116. If a crime was committed based on race, xenophobia or other highly objectionable reasons[27] and this is stated as an aggravating reason before court, then this information is registered as well.

Re 27d

117. The 2015 Act Amending the Penal Code[28] introduced major changes to the offence of incitement.[29] A new offence category was added, namely making available inciting written material, images or other depictions. If this is done in a way that makes the actions available to the public at large, this also constitutes an aggravating offence.

118. It has already been an aggravating fact for the determination of the penalty, if racist, xenophobic or anti-Semitic reasons were the underlying motivation for committing a crime. This amendment clarifies that not only racist or xenophobic reasons are considered highly objectionable, but also other reasons for committing a crime that explicitly targets one of the groups mentioned in Paragraph 283 (1/1) of the Criminal Code or a member of one of these groups specifically because of their affiliation to this group.[30] The definition for such a group is based on a number of existing or missing criteria for race, skin colour, language, religion or world view, nationality, descent or national or ethnic background.[31] This was done to meet increasing requirements regarding hate crimes.

119. Austria's administrative criminal law was improved in 2012 as well. Now it is not a matter anymore whether people are wrongfully disadvantaged solely because of their race, skin colour, national or ethnic background, religious denomination or disabilities, but whether they are (also) discriminated against for these reasons. This means that impunity is not justifiable anymore by stating, for example, that a person was not discriminated against solely because of their race.

[25] Regulation (EU) no. 606/2013 of the European Parliament and of the Council on mutual recognition of protection measures in civil matters.
[26] Enforcement Code, as amended in 2014, para. 86b and 86c.
[27] StGB, para. 33 (1/5).
[28] BGBl. I no. 112/2015.
[29] StGB, para. 283.
[30] StGB, para. 33 (1/5).
[31] StGB, para. 283 (1/1).

120. In 2016, the National Committee for the implementation of the *No hate speech* initiative of the Council of Europe was formed. The Committee consists of a number of different representatives from ministries and NGOs. They organise workshops to reduce prejudice and the acceptance of hate speech. An essential aspect of the initiative is speaking out against hate speech online. Users of social media are encouraged to actively address hatred and bullying on the web.

Re 28 and 29 — Trafficking and exploitation of prostitution

121. > *see re article 6, table 19*

122. On 1 January 2016, new provisions for medical examinations of sex workers were introduced.[32] While health tests previously took place weekly, they are now conducted every six weeks. Furthermore, public health officers are required to inform sex workers during the first examination about infection risks, ways to avoid infections, contraception, gynaecological screenings and protective vaccinations. Sex workers must also be informed about existing support and counselling institutions in this initial conversation. The provisions also clearly state that examinations are free of charge.

123. The *Working Group on Prostitution* published a multilingual brochure containing information for sex workers about essential rights and obligations, infection prevention and important points of contact. It was distributed to all health care offices and information centres in 2016 and has been widely used in counselling.

Re 30 and 31 — Participation in political and public life

124. Austria already reported on this specific recommendation in the follow-up report of March 2015. The following can be added to the information contained in the report.

Women's representation in provincial governments and parliaments, including the European Parliament, and political parties

125. > *see re 20* and *21, tables 9-11*

Women's representation in the diplomatic service

126. > *see tables 5 and 6*

127. In keeping with the Federal Equal Treatment Act, women are given preference in the selection procedure for the diplomatic service if they are equally qualified as their male counterparts, in order to achieve a 50 per cent share of women.

128. Overall, women's representation in the diplomatic service has increased and currently stands at 35.6 per cent. Between 2011 and 2016, the number of women in leadership positions in the diplomatic service grew by roughly 20 per cent. However, women remain under-represented in high-level and higher ranked leadership positions in the foreign service in Austria as well as abroad.

Women's representation in sports associations

129. > *see table 7*

130. In order to strengthen women's representation in leading positions in sports associations, further initiatives were implemented between 2015 and 2016. The boards of all 60 professional associations in Austria, the three governing bodies and

[32] Regulation of the Federal Minister for Health about medical prevention for persons engaged in sex work, BGBl. II no. 198/2015.

selected federal sports associations were surveyed for the *2016 Sports Bodies Report*. On an aggregate level including all organisations mentioned, the percentage of female board members has decreased by 1 per cent since 2011 and currently stands at 13 per cent.

131. Moreover, a strategy group on *gender equality in sports* was founded in 2015. The group consists of representatives from all leading sports organisations in Austria. In their work they focus on a balanced share of male and female coaches, measures against sexual violence in sport, fighting stereotypes in sports and the role of the media. One of their goals is to increase the representation of women in the leading bodies of every national sports institution to a minimum of 40 per cent by 2018.

132. The federal sports promotion fund subsidizes selected initiatives and projects. All sports associations received a criteria catalogue to assess support options for 2017 where measures to promote women and girls have been given high priority.

Action taken in the federal provinces

133. In **Salzburg**, sports clubs and associations made information leaflets and posters about protection from sexualised violence in sports available in their premises. At the same time, workshops were held for sports officials, coaches, parents and children about the prevention of violence in sports.

134. In **Vienna**, a range of events and services were launched for women in the context of the *Women & sports* initiative. The representation of women in sports clubs and associations is one of the criteria based on which decisions over financial support for sports organisations are made.

Re 32 and 33 — Education

135. *> see re 22 and 23, re article 10, tables 12-16*

Re 33a

136. Austria's result-oriented budget management defines specific measures regarding *gender-competent schools*:

(a) A new vocational training concept was introduced for teachers which fosters gender and diversity competencies of teachers and leaders;

(b) Career orientation, information and consulting were expanded in upper secondary schools with a special focus on gender-sensitive career information.

137. Furthermore, a gender equality indicator calculating the *share of male and female students in atypical school types in 10th grade* was introduced in 2012. According to this indicator, there has been a slight trend towards more diversification of school and career choices.

Re 33b

138. *> see re* 23b

139. A project with the title *Reflect — gender competence through reflective co-education* was carried out between 2010 and 2012. The project was designed to enhance the skills of teachers regarding reflective co-education and gender sensitivity in school teaching. Another part of the project was the development, implementation and evaluation of a training programme for practice teachers and advisers.

140. The creation of a professor position and a Federal Centre for Gender Pedagogy and Gender Studies and the integration of an equality perspective into quality development schemes help establish a gender-reflective co-education culture in schools.

Re 33c and 33d

School sector

141. Gender-sensitive career orientation has been increasingly integrated into ongoing career orientation and information activities in schools. The extension of career orientation and consultation for students of 7th and 8th grade has been one of the focus areas of education policy since 2011. For example, career orientation has become a stand-alone subject in new secondary schools. The training programme for teachers who teach this class comprises a mandatory *gender diversity module*.

142. Another effective step is that students do not have to make their career choices so early anymore. During the reporting period, needlework and handicrafts were combined to one subject. This provides the legal basis for all children in 5th and 6th grade to be able to learn basic skills in both subjects.

University sector

143. Currently, criteria are being developed for a cross-sectoral model for an equal and diverse science and research landscape. The results will be published in the second half of 2017.

144. The project *FEMtech* supports women in careers in research and technology and promotes equal opportunities in industrial research and research outside of the university sector. It includes an expert data base, the award *FEMtech expert of the month*, a *FEMtech web page* and regular *FEMtech network meetings*.

145. Furthermore, the fund for scientific research gives young female researchers who intend to pursue a university career the opportunity to receive funding for up to six years. These programmes aim to qualify young female researchers for a professor position in Austria or abroad.

Re 33e

146. Gender equality is part of essential strategic documents in the tertiary education sector. The *Performance Agreement* for 2016-2018 specifies the goals from the Austrian University Development Plan. It requires to promote gender equality in university personnel and measures to support reconciliation of work and private life must be defined. In 2015, the reconciliation of university studies or work with care duties for children or care-dependent family members were defined as a guiding principle in the Universities Act.[33]

147. Moreover, a working group on was established. The working group is currently drafting recommendations on how to enhance gender competence and raise awareness about gender diversity.

Re 33f

148. In general, fewer girls than boys have dropped out of school in recent years. This applies to young people with a migrant background in particular. The CEDAW Committee recommended conducting a *study on the underlying reasons for the high*

[33] GBl. I no. 21/2015.

drop-out rate of girls with a migrant background. The study has not yet been carried out.

149. The Act on Compulsory School and Vocational Training entered into force in July 2016[34] and governs the provisions on compulsory education or vocational training for young people until the age of 18. According to this law, all adolescents under 18 should receive further training or education after their graduation from compulsory school so that they have better and more sustainable opportunities to participate in economic and social life and to meet increasing qualification requirements on the labour market.

150. It is also essential to re-integrate into training schemes adolescents who are no longer part of the *school-profession* system anymore. Every young person who is at risk of dropping out of school or being excluded should be enabled to make his or her own choices about further education or vocational training after compulsory school. In order to achieve this goal, youth coaching sessions have been offered, which aim to provide universal and comprehensive support and consultation to adolescents before they graduate from compulsory school and, if possible, until their sustainable integration into another education or training scheme.

Re 34 to 37 — Employment and economic empowerment

151. *> see re 20-23, 32 and 33, 35a and c, re article 11, tables 1-4 and 15*

Re 35a

152. The National Action Plan on Gender Equality in the Labour Market was a comprehensive set of measures for the period 2010-2013. The 55 different measures showed, on the one hand, the wide range of challenges related to achieving gender equality in the labour market. On the other hand, this consolidated package of measures allowed strategic and coordinated implementation. Out of all measures, 38 (69 per cent) were fully realised and 16 (29 per cent) are under implementation or partly implemented.

153. The NAP will also be continued under the 2013-2018 government programme. This shows that political will has again been demonstrated at the highest level to achieve de-facto equality in the labour market.

154. The initiatives from Austria's active labour market policy are of particular importance for a sustainable integration into the labour force and increased income opportunities for women. An essential step in this direction is a requirement which states that the Public Employment Service (AMS) must consider women in their subsidy spending to a share of 50 per cent. In 2015, about 511 million euros were spent on initiatives to promote women as part of the active labour market policy. About two thirds of these resources were used for qualification measures.

155. Qualification is also the focus of the *Systematic competence* programme which concentrates on unemployed people with lower educational qualifications. Participants can choose between a wide range of apprenticeships in different industries, for example retail, IT technology, the hospitality sector and masonry. About 800 women took part in the programme in 2015.

156. Furthermore, women who seek work and want to improve their qualification skills can consult job centres for women which offer comprehensive services and individual consulting. After a pilot phase from 2010-2012, job centres for women can now be found all across Austria. They supported more than 9,200 women in 2015.

[34] BGBl. I no. 62/2016.

157. The *initiative on adult education* provides the opportunity to complete basic education and compulsory school programmes free of charge. Many migrant women make use of this service. Out of all participants of the *basic education* scheme, about 70 per cent were migrants and 60 per cent women. About 50 million euros were spent by federal and provincial authorities for these programmes between 2012 and 2014. The ESF 2014-2020 programme period includes further funding and resources to empower women with a migrant background.

158. A major focus of empowerment initiatives is on collective work agreements. Some improvements were achieved in negotiations about new collective agreements. For example, more collective agreements now add parental leave periods to the calculation of promotions, or they are now calculated in a more beneficial way. Furthermore, the minimum basic salary was raised in a number of industries where many women work, e.g. in retail or the social sector. Moreover, the social partners put together a series of good practice examples in collective agreements to promote equality of men and women in the labour market.

Action taken in the federal provinces

159. In Vienna, the *Workers' fund* (*waff*) provides information and financial support to women who want to enter a new career path and have a low income, regardless of their previous formal qualification. Migrant women also receive support so that they can apply qualification skills acquired abroad in a better way. Out of all 20,900 people who used this service in 2015, 70.2 per cent were women. Another initiative is the *Women's college*. Its target group are women who are disadvantaged in terms of education.

Re 35b

160. The employment structure in Austria still shows a segregation of the labour market based on gender. In terms of industries, employed women mainly worked in the services sector in 2015, primarily in retail (18.4 per cent) and in the health care and social sector (17.1 per cent). Employed men, on the other hand, mainly worked in the field of goods manufacturing (24.9 per cent), in construction (14.0 per cent) and retail (11.7 per cent).

161. One way to reduce horizontal segregation in the labour market is to overcome gender-based stereotypes and to have more diversified career paths. In order to achieve this diversification of professions and career choices of women, a number of projects have been carried out for many years. For example, in keeping with the Vocational Training Act, [35] the apprenticeship promotion programme provides funding for initiatives and projects which promote training of women in atypical, mainly technical professions.

162. An AMS project called *FiT — women in crafts and technology* grants financial support to women for further training in atypical professions. Participants should be able to complete an apprenticeship or attend specialised upper secondary schools or universities of applied science. About 1,100 women were trained with *FiT* in these fields in 2015.

163. Another promotion programme in the fields of science, technology and innovation is the project *w-fFORTE*. Its support and awareness-raising activities aim to increase the proportion of women across all career levels in this sector. So far, 1,000 women have completed the programme.

[35] BGBl. no. 142/1969.

Narrowing the gender pay gap

164. Between 2011 and 2015, the gender pay gap[36] in Austria decreased from 23.5 to 21.7 per cent. However, Austria's gender pay gap is still one of the biggest in the EU. In order to narrow this gap, different measures have been implemented to reduce structural factors contributing to the large gender pay gap. One goal is to remove barriers which make it difficult for women to work full time. Further aims include enhancing career perspectives for women across all professions.

165. Another key aspect to narrow the gender pay gap is an increase in income transparency. Since 2011, employers have been required to state in job advertisements the minimum wage based on collective agreements and also the option to pay more, if applicable.[37] Furthermore, since 2011 companies have been required to present income reports when they exceed a certain number of employees.[38] This applies to companies with more than 150 employees as of 2014 according to the current scheme. A practical manual is provided to help companies draft the report. Seminars were held in 2012 to inform entrepreneurs and employers about relevant legislation and how to produce an accurate income report.

166. In keeping with the 2013-2018 government programme, an evaluation of the requirements from the Equal Treatment Act regarding minimum wage in job advertisements and income reports was carried out. The evaluation showed that these instruments are good ways to improve income transparency. It also highlighted potential for improvement. The results of the study were published in 2015, and they serve as a basis for discussions about potential amendments of legal provisions regarding income transparency.

167. Another tool for income transparency is an online wage calculator which has been available at *www.gehaltsrechner.gv.at* since 2011. Users can calculate whether or not they receive appropriate remuneration, taking relevant criteria such as education/training, work experience and the nature of the work performed into account. More than 2 million people have used it so far.

Re 35c

168. The expansion of childcare facilities is an important way to achieve better reconciliation of work and family life for both men and women. Since 2007, about 59,000 additional places in childcare facilities were created for children over three years of age, which exceeds the Barcelona objective. For children under three years, 13,000 new childcare places should be established by 2018, which would meet the Barcelona objective of 33 per cent coverage rate. In order to achieve this, federal and provincial authorities made an agreement under Article 15a of the Federal Constitutional Law about the increase of institutional childcare. The federal authorities provided 55 million euros of funding between 2011 and 2014. Between 2014 and 2017, federal and provincial authorities will provide another 305 million euros. Co-funding of the provinces amounts to 135 million euros.

169. Based on a Cabinet Decision from 12 July 2016, the Federal Government decided to spend 750 million euros by 2025 for the expansion of full-time schools.[39] This will strengthen equal opportunities for children and the combination of work and family life.

[36] Eurostat indicator gender pay gap; based on gross hourly earnings in the private sector. The figures for 2016 have not been published yet.
[37] GlBG, para. 9 (2).
[38] GlBG, para. 11a.
[39] Cabinet Decision, 12 July 2016.

170. In order to support people who want to change from part-time to full-time work, employers have been required since 1 January 2016 to inform employees about the following intended changes. If a company intends to create a full-time vacancy or a position with increased working hours, part-time employees must be informed before the job advertisement is published.

171. Several initiatives were launched to encourage companies to actively promote combining work and family life. Currently, an audit about *work and family* is being carried out in 390 businesses, 22 higher education institutions, 14 health care and care facilities, 392 municipalities and 1 region. The audit process should help companies to develop sustainable reconciliation measures for their specific work context.

172. Companies and municipalities which are part of the network *Businesses for families* have committed to make their area of responsibility more family-friendly, to lead by example and encourage others to do the same.

173. The *Charter on Reconciliation of Work and Family Life* represents an additional commitment for signees to introduce and implement family-friendly initiatives.[40]

Re 35d

174. Companies with fewer than 150 employees are not required by law to publish income reports.[41]

175. The GAW offers seminars for company-internal and external multipliers about equal pay, the analysis of income reports, lawful job advertisements and non-discriminatory personnel selection.

Re 37a

176. The 2016 amendment to the Social Security Act,[42] which took effect on 1 January 2017, introduced a higher standard rate for compensatory agreements for pension recipients with long-term employment in order to prevent poverty in old age, especially in women. People who paid contributions to pension insurance for at least 30 years now receive a minimum pension of 1,000 euros.

177. In order to improve pension security for women, the pension splitting scheme was also amended on 1 January 2017. While previously pension claims could only be transferred to the parent mainly devoted to childcare for four years per child, pension claims can now be transferred for a period of up to seven years after the birth of a child. Pension claim transfer can now be requested until the 10th birthday of the youngest child.

178. In order to inform women better about the pension system and their future pension options, a brochure about *women and pension* was published in 2015. The brochure is available in relevant facilities across the country and online. It provides information about the pension system with a focus on the impact of part-time work and longer periods of no employment on future pensions.

Re 37b

179. A number of specific programmes and information materials aim to allow women a fast re-entry into the labour market after childbirth. Highly qualified staff

[40] Website of the Charter on Reconciliation of Work and Family Life.
[41] GlBG, para. 11a.
[42] BGBl. I no. 29/2017.

in all regional AMS offices support women wishing to re-enter the labour market. Furthermore, the AMS offers a special training programme on reconciliation of work and family life, skills evaluations as well as reflection on the existing career or a potential re-orientation. Approximately 4,500 women attend the training course every year.

Action taken in the federal provinces

180. The **Vienna** fund for workers provides financial support for career training for women and men who intend to take parental leave or are already on leave. The goal of the programme is a fast re-integration into the labour market.

181. In **Carinthia**, the training fund for women has granted support to women for further training since 2014. Counselling and acquisition of additional qualifications help women return to work. In 2015, more than 100 women received funding for training.

182. In **Upper Austria**, a competence centre for *parental leave and career* was established in 2011.

Re 38 and 39 — Health care

183. *> see* re *article 12*

Financial support for abortions

184. The new Action Plan on Women's Health includes outcome-oriented targets and measures for the promotion and protection of sexual health of girls and young women. Competent, age-appropriate sexual education aims to increase knowledge about one's own body and sexuality and at the same time reduce the number of teenage pregnancies and abortions.

185. Statutory health insurance pays for medically indicated abortions as it is a legal requirement that statutory insurance covers the costs for medical treatments.

Action taken in the federal provinces

186. In **Vienna**, women can apply for financial support for an abortion in personal, family-related or financial emergency situations. Out-patient abortions can be carried out in six hospitals.

Impact of privatisations and the economic crisis

187. No study has been carried out on the impacts of the economic crisis and privatisations on health care for women.

Re 40 and 41 — Rural women

188. *> see re 20 and* 21, *32 and 33, re article 14*

189. The Austrian programme for rural development earmarked for the first time about 235 million euros for social matters and service institutions for the period between 2014 and 2020. Childcare facilities, mobile services and care facilities are applicable for funding, amongst others.

190. A rural development project with the name *LEADER 2014-2020* promotes stronger participation of women in regional decision-making processes. A mandatory quota for women — one third of all members in the project selection committee who have a right to vote — was defined for the selection procedure for local action groups. In many decisions on selected projects, women exceed the

quota. The *LEADER 2014-2020* programme contains a number of projects about political and social participation of women in the individual provinces.

191. Moreover, a project about *future-oriented agricultural motivation* aims to increase the representation of female farmers in agricultural interest groups, community committees and regional associations. The goal is to raise the number of women in these groups to 30 per cent by 2020. The certified training course *Professional representation in rural areas — Austria's female farmers and their profile* is one initiative to achieve this.

192. Several projects collect data about the situation of women in rural areas. For example, a gender index was developed in 2011 to assess disparities in the labour market and living conditions of women and men on a regional level.

Re 42 to 47 — Disadvantaged groups of women

Re 42 and 43

Access to education and training programmes and job placement services

193. Migrants who make use of the free movement of labour have access to the entire AMS service portfolio. They are equal to non-migrant citizens throughout the whole support process.

194. Women with a migrant background have access to all support schemes mentioned in the section about items 34 to 37. Special emphasis is placed on needs-based support for women with a migrant background. In the *FiT — women in crafts and technology programme*, for example, the AMS strives to cooperate closely with facilities specialised in migrant support. A number of initiatives for recognised refugees focus on the empowerment of displaced women.

195. In 2012, an *adult education initiative* was launched. The initiative is an agreement between federal and provincial authorities to give young people and adults who live in Austria the possibility to acquire basic skills and educational qualifications free of charge even after graduating from school. These programmes are mainly used by female migrants.

196. Furthermore, 15 integration projects with a focus on women received financial support from the integration promotion programme in 2016. Several of these projects concentrated on the integration into the labour market.

Recognition of qualifications

197. The Act on the Recognition and Assessment of Qualifications,[43] which took effect on 12 July 2016, contains an improved recognition procedure for qualifications and diplomas acquired abroad as well as a facilitated nostrification procedure. This aims to promote the integration of migrants into the labour market and ensure qualification-based employment for people who acquired their qualifications outside Austria. In accordance with the new law, service and consulting offices were established in all provinces for the recognition of educational qualifications. The online platform *http://www.berufsanerkennung.at/en/* provides general information and lists all relevant offices. Furthermore, special provisions exist for beneficiaries of asylum and subsidiary protection so that they have access to the recognition procedure even if they lost their qualification certificates and diplomas when they fled to Austria.

[43] BGBl. I no. 55/2016.

Inter-sectional multiple discrimination

198. In 2011, the GAW for the first time submitted a request to the Equal Treatment Commission to assess a potential case of inter-sectional multiple discrimination based on gender and religion. In the discussed case, a woman who wore a Muslim headscarf was disadvantaged. The Commission defined the disadvantage resulting from wearing a headscarf as inter-sectional discrimination.

Action taken in the federal provinces

199. In **Carinthia**, a special support and consulting service for girls and young adults with a migrant background has been offered since 2016.

200. In **Salzburg**, women with another mother tongue than German can join courses to acquire basic skills in literacy, German, maths and the use of computers.

201. **Vienna** launched several initiatives to promote self-determination of migrant and displaced women. For example, German beginner classes for mothers are offered.

Re 44 and 45

202. *> see re 25c*

Re 46 and 47

Identification of victims of human trafficking

203. The project *IBEMA* (2015-2019) aims to facilitate the identification of victims of trafficking. The main goal is to offer extensive training for judges of the Federal Administrative Court, officials who are responsible for asylum procedures at the Federal Office for Immigration and Asylum as well as legal consultants and counsellors in the asylum procedure. In total, 20 training courses have been offered in all provinces in cooperation with *IOM*, *UNHCR*, the Criminal Intelligence Service Austria, the *LEFÖ* intervention centre for trafficked women, the *MEN* VIA (support for men who are affected by human trafficking) and the public child protection centre *Drehscheibe* in Vienna.

204. Practical training sessions and workshops were held in police detention facilities to raise awareness about this topic among staff members.

205. Moreover, a brochure to identify and deal with potential victims of trafficking in children was published.

Gender-sensitive approaches

206. *> see re article 6*

207. The Austrian Asylum Act states that interviews of asylum seekers whose sexual self-determination has been violated must be conducted by a person of the same sex if the applicant does not prefer the opposite. Asylum seekers must be evidently informed about this option.[44]

208. The Act also states that applications by asylum seekers who are likely to be suffering from a pathological psychological stress disorder due to torture or other severe forms of psychological, physical or sexual violence must not be turned down

[44] Federal Act on Asylum, para. 20, BGBl. I no. 100/2005.

immediately at the beginning of the asylum procedure. The special needs of these applicants must be taken into account over the course of the asylum procedure.[45]

209. Staff members of the Federal Office for Immigration and Asylum take part in seminars about traumatisation and interculturality as part of their general training programme. One of the focus areas is the identifying and dealing with highly vulnerable groups of people.

Re 48 and 49 — Women with disabilities

210. The 2012-2020 Austrian *National Action Plan on Disabilities* and the programme *BABE Austria 2014-2017*, a labour market policy for persons with disabilities, aim to enable more women with disabilities to find a suitable job in order to make a living. Production schools and youth coaching are one focus of the programmes. Gender responsiveness is an integral part at all programme levels in order to counter potential disadvantages, especially of female adolescents, at an early stage.

211. Funding is granted to initiatives against discrimination and specific projects which aim to improve the living situation of women with disabilities. Women receive comprehensive support and information in 58 publicly funded and recognised service centres for women, 12 affiliate offices and one nationwide online counselling service. In addition to that, the organisation *NINLIL* 2015 has been officially recognised as a service centre for women with disabilities.

212. In order to receive public funding, applicable institutions must comply with the requirements set out in the Federal Act on Equal Treatment of People with Disabilities. Information events and seminars were held to inform subsidised institutions for women and girls about the requirements.

213. Over the reporting period, information material and services were adapted at a national and regional level to make them more accessible. These are now available in an easy-to-understand language, in Braille, in a version for the visually impaired and as audio files.

214. The professional training concept for teachers now lists gender and diversity competence as a requirement for future teachers. In addition to that, national centres were established at the colleges for teacher training, including the national centre for inclusive education and special education, for interculturality, migration and multilingualism and for gender pedagogy and gender studies. The centres collaborate with each other in order to reduce multiple discrimination.

Action taken in the federal provinces

215. **Vorarlberg** offers a qualification programme for young women with disabilities.

216. In **Vienna**, regular network meetings take place between offices and institutions specialised in disabilities, anti-discrimination, diversity, gender and equality. Moreover, a project to provide peer support to women with disabilities was launched in 2012.

Re 50 and 51 — Marriage and family life

217. *> see re article 16*

[45] Federal Act on Asylum, para. 30, BGBl. I no. 100/2005.

Rights and obligations of unmarried, cohabiting heterosexual couples

218. Cohabitation and relationships are a cross-sectoral subject in Austrian legislation. Further discussions need to be held on the introduction of specific provisions concerning maintenance and the distribution of property on dissolution of the relationship.

Data and measures concerning forced marriage

219. A reporting database was created in 2006. However, the database did not appear to be an effective tool to gather statistical data and was therefore closed.

220. A more targeted and effective measure for the protection against forced marriage was the creation of a protection centre in Vienna in 2013 for girls and young women who are victims or at risk of forced marriage. This publicly funded emergency shelter offers shelter in a safe apartment with a secret address as well as 24-hour support and comprehensive counselling in multiple languages.

221. The 2015 Act Amending the Penal Code[46] introduced forced marriage as a stand-alone criminal offence.[47] Coercion of entering into a marriage-like relationship (a ritual or religious marriage not recognised by the state) remains an act of grave coercion, since essential interests of the victim are violated.[48] Potential punishment is the same for grave coercion and forced marriage.

222. Moreover, a pre-offence of forced marriage was introduced.[49] This means that it is punishable to force a person by means of violence, dangerous threat or threatening to end contact with the family or deprive the person of family contact or tempt that person by means of deceit to go to another country or to transport the person to that country by means of violence or in taking advantage of the person's misconception of this plan with the intention that this person will be married in a country which is not the nationality or usual place of residence of that person.

223. Since a separate offence category for forced marriage was introduced, cases can now be statistically evaluated based on this regulation. From January to July 2016, twelve legal proceedings were held concerning forced marriage. None of them ended with a conviction.

Re 52 and 53 — Socio-economic consequences of divorce

224. > *see re* article *16*

225. No studies have been carried out for the reporting period on the socio-economic consequences of Austria's divorce regime.

Action taken in the federal provinces

226. In 2013, a telephone and email service was added to legal consultation services in counselling centres for women in **Burgenland**.

227. In the province of **Vorarlberg**, a platform named *Lawyers for marriage and family law* informs women about divorce and socio-economic consequences of divorce.

[46] BGBl. I no. 112/2015.
[47] StGB, para. 106a (1).
[48] StGB, para. 106 (1/3).
[49] StGB, para. 106a (2).

Re 54 — Beijing Declaration and Platform for Action

228. On the occasion of the 20th anniversary of the Beijing Declaration and Platform for Action, Austria produced a comprehensive report about implementation. All Federal Ministries and provincial authorities were involved in the creation of this document and reported about implementation measures in their areas of responsibility.

229. On the occasion of the 20th anniversary of the Fourth World Conference on Women, a two-day event was held in 2015. Inter-disciplinary discussions were held in different workshops, and the 250 participants could elaborate future priorities for activities to promote women's rights and equality in Austria. This event showed that it is vital to create more networking opportunities and involve new actors in discussions. Therefore, a network was created together with NGOs and students to foster an exchange about women's rights and gender equality. The focus areas of the events organised by the network reflect the multi-faceted character of the Beijing Declaration and Platform for Action.

Re 55 — UN Millennium Development Goals

230. An inter-ministerial working group was established to coordinate reporting about national implementation of the *2030 Agenda*. The Federal Government advised all Federal Ministries to integrate the Goals of Sustainable Development into their strategies and programmes. This applies to the stand-alone goal number 5 as well as the sub-targets from other areas related to gender equality.

231. In accordance with the Austrian Act on Development Cooperation,[50] the Austrian Development Cooperation and Cooperation with Eastern Europe (OEZA) consistently implements the principle of gender equality. Gender mainstreaming is a mandatory requirement for the OEZA and its activities. Moreover, the Austrian Development Agency (ADA) adjusts its programmes and projects to the stand-alone goal number 5 and gender-responsive implementation of other Sustainable Development Goals. Currently, there are about 300 different ADA projects which include a gender perspective, with a total volume of about 268 million euros.

Re 56 — Dissemination and implementation

232. > *see* re *7*

233. In addition to the measures mentioned, the Ministry of Women informed the human rights coordinators of all Federal Ministries and provincial authorities in 2013 about the concluding observations on the combined seventh/eighth Austrian report on CEDAW. Furthermore, the Ministry of Justice was asked to inform judicial offices about the concluding observations.

234. At local level, the heads of all counselling centres for women were informed in a personal letter in 2013 about the Convention, the state evaluation procedure and, above all, the CEDAW Committee's concluding observations. The German translation of the observations and copies of an information brochure about the CEDAW were attached to the letter.

235. In 2015, the first German legal commentary on CEDAW, published by Austrian and Swiss authors, was presented in a public event.

[50] BGBl. I no. 49/2002.

Action taken in the federal provinces

236. **Vienna** authorities cooperate with universities, interest groups, national and international women's organisations as well as research institutions in order to make CEDAW more widely known.

237. In **Vorarlberg**, the Committee's concluding observations on Austria's last periodic report were discussed with the social partners at regional and municipal level.

Re 57 — Follow-up on the concluding observations

238. Austria's follow-up report was submitted to the CEDAW Committee in March 2015.

II. Implementation of the Convention

Article 2 — Measures to eliminate discrimination

Gender mainstreaming

239. Austria has committed to implement gender mainstreaming. The main legal basis for gender mainstreaming is the Federal Constitution, which contains the principle of non-discrimination and equality of men and women as a mandatory requirement.[51] The basis for the implementation of gender mainstreaming at the federal level are five different Cabinet Decisions. In the reporting period, a Cabinet Decision on structural integration of gender mainstreaming into the line ministries, sustainable implementation of gender mainstreaming in legislative processes and on consideration of gender aspects in public procurement and funding was taken on 6 September 2011. Some Federal Ministries made the promotion of women and equality a requirement for the receipt of directly awarded public contracts. Recipients of these contracts are required to implement measures to promote equality in their organisation for a minimum of six months.

240. Further areas of focus are gender-sensitive data acquisition in reports, studies and publications and increased training and involvement of employees in gender mainstreaming projects.

241. Other initiatives to raise awareness include the website *http://www.imag-gmb.at/?lang=en*, the annual gender index, a gender mainstreaming newsletter, a data base containing gender projects and an event series called *Equality talks*.

Gender budgeting and outcome-oriented budget management

242. > *see* re *14-19*

243. As well as outcome-oriented budgeting,[52] outcome-oriented impact assessments are part of Austria's outcome-oriented approach. This means that the expected impact of every draft piece of legislation at the federal level and significant financial undertakings must be assessed. The expected impact must be evaluated internally in the respective line ministry after a maximum of five years. In any case, the impact assessment must contain implications on the de-facto equality of men and women.

244. In order to support practical implementation, a gender budgeting blog has been available since 2016.

[51] B-VG, article 7 (2).
[52] B-VG, article 51 (8).

Amendments to the Equal Treatment Act and the Federal Act on the Equal Treatment Commission and the Ombud for Equal Treatment

245. The 2013 amendments to the GlBG and the GBK/GAW [53] have led to significant improvements in terms of protection of women against discrimination.

246. The requirement to state minimum wages in job advertisements was extended to employers of all industries where collective agreements, legal provisions or another collective legal norm apply.

247. The Amendment also clarified that in implementing the EU Directive on the equal treatment of self-employed persons,[54] the foundation, expansion or increase of any form of self-employed activity fall within the scope of the GlBG in addition to the access to employment.

248. It was made clear that in terms of career counselling and occupational retraining, the GlBG governs protection over the whole duration of the measure applied and not only access to that particular measure.

249. A periodic dialogue of the Federal Chancellor with representatives from non-governmental organisations about equality was enshrined in law.

250. Furthermore, the senates of the Equal Treatment Commission were made smaller, which should lead to shorter procedures.

251. Further improvements include a clarification of the term *marital and family status* and the requirement that the amount of compensation determined in proceedings before court must be effective and proportionate. Moreover, the limitation period for the enforcement of claims before court in cases of sexual harassment has been extended.

Action taken in the federal provinces

252. Equal treatment legislation exists in all provinces. Some provisions were amended during the reporting period in order to increase protection against discrimination, for example in the Equal Treatment Acts of Burgenland,[55] Lower Austria[56] and Vienna. Provincial governments also developed agreements at the highest political level and promotion schemes for women which include targets and measures related to equality.

253. Gender budgeting was integrated into the provincial administration of **Vorarlberg** in 2016. A corresponding controlling system and support measures for implementation were created.

Article 3 — Ensuring and promoting equality

254. *> see re 10-13,* items *14-19, re article 2, table 17*

Assignment of the Equal Treatment Commission

255. Ongoing activities of the senates of the Federal Equal Treatment Commission and the Equal Treatment Commissions for the private sector are an important tool to enforce equal treatment legislation.

256. Between 2011 and 2015, a total of 901 applications were filed to the equal treatment commissions, 488 of which pertained to discrimination based on gender.

[53] BGBl. I no. 107/2013
[54] Directive 2010/41/EU.
[55] Burgenland provincial law gazette no. 23/2013.
[56] Lower Austria provincial law gazette 2060-6.

About 400 expert assessments and examinations were completed, with 233 regarding gender-based discrimination.

Training activities in the Federal Academy of Public Administration

257. The Federal Academy of Public Administration offers a seminar programme about *gender and equality* for federal administration staff. Since 2012, 1,559 people have taken part in the programme. Another 107 people participated in a seminar about *equality and gender competence* as part of their basic training.

Promotion plans for women

258. The mandatory promotion plans for women of the line ministries and supreme federal bodies are published in the federal law gazette. Public universities are also required to develop promotion plans for women and publish them in the university gazette.

Action taken in the federal provinces

259. The promotion plan for women in **Salzburg** includes several initiatives regarding education and training, gender-responsive language and reconciliation of work and family life.

260. In 2014, the province of **Vorarlberg** published the first report on *equality of men and women*. 125 measures were derived and brought together in the *2014-2018 Regional Action Plan on the Equality of Women and Men in Vorarlberg*.

261. Gender indicators were integrated into quality management processes of authorities in **Vienna**. This aims to ensure that performance assessments automatically consider aspects of equality. Moreover, *gender and fairness checks* are carried out as a standard procedure in legislative processes and in the development of urban planning strategies.

Article 4 — Temporary special measures

262. > *see re 20 and 21,* tables *5 and 6*

The share of women in public service

263. The 2011 Amendment to the Federal Service Code[57] raised the quota for women in federal service. This means that women must be given preference in the selection and promotion procedure in federal service if they are equally qualified as their male counterparts and if women account for less than 50 per cent of permanent staff in the relevant unit. The quota was raised from 40 to 45 per cent in 2010 and to 50 per cent in 2012.[58]

Article 5 — Modification of social and cultural patterns/gender-based stereotypes

264. > *see re 22* and *23, 32 and 33*

Action taken in the federal provinces

265. An advertising watch group was founded in **Vienna** in 2012 to highlight and reduce sexist advertising content. Based on a range of criteria, experts assess complaints received through the group's website or app. Their conclusion is

[57] BGBl. I no. 140/2011.
[58] B-GlBG, para. 11b and c.

published online. The group also confronts affected companies with the assessment and asks them to withdraw the content in question.

Article 6 — Trafficking in women and exploitation of prostitution

266. *> see re 27b, 28 and 29, 46 and 47, table 19*

Improved legislation

267. In August 2013, the penalty range for pimping[59] was increased from one to two years. This change better reflects the objectionable nature of the offence and should allow for more extensive investigation measures (mainly phone tapping), which in turn aims to increase the chances of convicting perpetrators.

268. The 2013 Amendment to the Law Governing Sexual Offences[60] changed the potential basic penalty for trafficking in human beings[61] from up to three years imprisonment to between six months and up to five years. The potential penalty for cases involving mature minors (14- to 18-year-old adolescents) is now between one and ten years imprisonment. Moreover, the categories of exploitation of begging and exploitation to achieve punishable actions were added to the catalogue of different forms of exploitation.

269. Furthermore, the 2015 Act Amending the Penal Code[62] introduced a new provision regarding the violation of sexual self-determination.[63] Customers who are aware that a woman is a victim of human trafficking and use her sexual services nonetheless — without using violence themselves — are punishable under this provision.

270. The Act Amending the Criminal Procedure[64], which took effect on 1 June 2016, further extended the rights and protection of victims in criminal proceedings.

Court cases and special competence

271. A total of 315 cases of human trafficking were brought before court between May 2011 and July 2016. The majority of proceedings took place in Vienna. Of all proceedings, 41 ended with a conviction and 14 with a non-guilty verdict.

272. A number of prosecutors are now specialised in trafficking in human beings, and human trafficking is the designated area of responsibility of several judges at the regional criminal court in Vienna.

Support for victims of trafficking in women

273. The resources for *LEFÖ-IBF*, a publicly financed intervention centre for trafficked women, were steadily increased over the reporting period.

274. According to the Act Governing the Victims of Crimes, victims of human trafficking have the right to enforce certain claims. These claims include cost compensation for psychotherapeutic interventions due to the crime committed. Victims of trafficking in human beings from third countries now have easier access to the labour market.

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[59] StGB, para. 216.
[60] BGBl. I no. 116/2013.
[61] StGB, para. 104ª.
[62] BGBl. I no. 112/2015.
[63] StGB, para. 205ª.
[64] BGBl. I no. 26/2016.

275. *UNDOK*, a trade union organisation which provides support to undocumented workers, was founded at the end of 2013. The goal of the organisation is to close the existing gap in the support system for victims of labour exploitation. It serves as an interface between relevant consultation centres in the field of asylum and migration law, organisations specialised in the protection of victims of human trafficking, migrant organisations and workers' organisations.

276. Over the course of the reporting period, the services offered by publicly funded, specialised institutions for sex workers were extended considerably. Specialised counselling institutions exist in Carinthia, Salzburg, Styria, Tyrol, Upper Austria and Vienna. NGOs in Vienna partly cover Lower Austria and Burgenland.

Measures to prevent and fight trafficking in women

277. The *Task Force on Combating Human Trafficking*, established in 2004, has continued to coordinate and expand measures against human trafficking in Austria. It developed the third (2012-2014) and fourth (2015-2017) *National Action Plan on Combating Human Trafficking*. Both plans were adopted by the Federal Government, and the Task Force has monitored their implementation.

278. The *Working Group on Prostitution*, which is part of the Task Force, is responsible for developing recommendations on how to improve the living and working conditions of sex workers. About 30 experts from all provinces and different professional groups are part of the Working Group. Recommendations were summarised in a comprehensive report and presented to the Federal Government.

279. The *regional initiative to fight human trafficking* has received public funding since 2010 and aims to strengthen Austria's cooperation with neighbouring countries in the fight against trafficking in human beings.

280. Furthermore, an initiative was launched to improve transnational coordination and cooperation and to strengthen networks and partnerships with third countries.

281. The Criminal Intelligence Service Austria is a partner in several EU projects designed to fight human trafficking. In 2014 and 2015, several bilateral investigations were carried out. In this context, an exchange of information about good practices and current trends and developments took place.

Action taken in the federal provinces

282. In **Vienna** and **Upper Austria**, comprehensive amendments to regional legislation about prostitution were made during the reporting period. Requirements were introduced for brothels to improve the working conditions for sex workers.

283. Salzburg, **Tyrol**, **Vorarlberg** and **Vienna** provide financial support to different counselling centres and information services for sex workers.

284. In the province of **Carinthia**, a mobile consultant has provided counselling for sex workers at local health offices since 2016.

Article 7 — Participation in public life and politics

285. > see *re 20 and 21, 30 and 31, tables 8-11*

Article 8 — Participation at the international level

286. > see *re 30 and 31, tables 6 and 7*

Gender advisor in peace missions

287. In 2011, a training programme for *gender advisors* of the *European Security and Defence* College was launched in cooperation with Sweden. By the end of 2015, eleven members of military staff, six of whom are women, had been trained as gender advisors. One gender advisor was deployed as an advisor to the commander of the NATO-led peace mission *Kosovo Force* between 2011 and 2013, and 2015 and 2016, respectively.

Implementation of the National Action Plan on UN Resolution 1325

288. An inter-disciplinary training course for leaders and policy makers about the *protection of civilians in armed conflict* has been held annually since 2012. One part of the programme explicitly focuses on the role of women and their protection in armed conflicts. Austria also organised other training courses for the UN between 2013 and 2016 which focused on the protection of civilians. One part of these programmes was devoted to the role of women in armed conflicts and the UN's zero-tolerance policy towards sexual exploitation and sexual abuse in UN-led peace missions.

289. On the occasion of the 15th anniversary of UN Resolution 1325 and the 20th anniversary of the Beijing Declaration and Platform for Action took place. Recommendations were developed on how to strengthen women's participation in international conflict management and published.

Article 10 — Education

290. > see *re 23c, 32 and 33, tables 12-16*

291. Women and men have an increasingly similar level of education. While in 2013 more women (23 per cent) than men (15.3 per cent) had a maximum of one diploma from compulsory school in the group of 25- to 64-year-old people, the share of women who graduated from an institution of tertiary education amounted to 17.7 per cent, compared to 15.3 per cent of men.

292. In the 2013/2014 school year, 58 per cent of all A-level (*Matura*) diplomas were acquired by women. In terms of completion of apprenticeships, women accounted for 38.3 per cent. In the 2013/2014 university year, 56.6 of all university graduates were women. At 58.3 per cent, men accounted for the majority of graduates from doctoral programmes.

293. In terms of study choices in schools and at university level, there are significant gender-specific differences. While mainly girls attended commercial and social schools (87.5 per cent and 80.3 per cent, respectively) in the 2014/2015 school year, technical and engineering schools were mainly attended by boys (74.3 per cent).

294. Notable changes can be seen in terms of specialisations at public universities. While in 2003/2004 women accounted for only 17.8 per cent of graduations in engineering, the share of women increased to 26 per cent in 2013/2014.

Article 11 — Employment

295. > *see re 34 and 35, tables 1, 2 and 18*

296. The labour market participation rate of 15- to 64-year-old women increased from 69.3 per cent in 2011 to 70.9 per cent in 2015. At the same time, the share of women in part-time employment rose from 44.4 per cent in 2011 to 47.8 per cent in 2015.

297. The number of women in atypical employment (52 per cent) is much higher than the number of men (16 per cent). Atypical employment refers to part-time employment, free service contracts, temporary and contract work, minimum employment agreements below twelve working hours a week and short-term contracts.

298. Against this backdrop, a number of measures to promote gender equality in the labour marked were launched, including the following.

Self-employed entrepreneurs and micro-entrepreneurs

299. The number of female self-employed entrepreneurs has risen steadily in recent years. At 8.4 per cent, women have founded more businesses than men (6.8 per cent). Women account for 36 per cent of self-employed people in Austria, which is above the EU average of 32 per cent. In 2014, 32 per cent of sole proprietor businesses were founded by women. The *Micro-Enterprise Academy* supports women who founded their business less than three years ago and have no employees. In several different modules, entrepreneurs can acquire basic business knowledge to develop their enterprise.

Investment focus on equality in the labour market

300. The operational programme *Employment Austria 2014-2020* for the implementation of the European Social Fund includes for the first time a special investment focus for the promotion of equality between women and men in the labour market. Training programmes have been offered for women who are disadvantaged in education. Furthermore, several business-related support projects focus on topics such as lowering differences in income, training female employees with lower qualifications in female dominated industries, career opportunities for women in leading positions, combining work and private life as well as employment for women who have fled another country.

Legal consultation on gender-based discrimination in the private sector

301. The GAW held 13,728 consultation sessions between 2011 and 2015 about gender-based discrimination in the private sector and another 178 regarding multiple discrimination in this sector.

302. The Ombud found that there is insufficient effective protection against sexual harassment for leased workers. The Act on Personnel Leasing[65] was amended during the reporting period, which lead to stricter requirements for both the deploying and the receiving companies.

303. As a result of the 2011 Amendment to the GlBG,[66] legal access for people affected by wage discrimination was increased. The Amendment improved transparency rules, expanded the right of the GAW to obtain information[67] and increased investigation possibilities during the procedure before the Equal Treatment Commission.[68]

Action taken in the federal provinces

304. The project *Equal employment opportunities for women and men* fosters a family-friendly corporate culture and offers career coaching to women in **Vorarlberg**. Furthermore, the regional Chamber of Labour started a project called

[65] BGBl. I no. 98/2012.
[66] BGBl. I no. 7/2011.
[67] GBK/GAW, para. 5 (4).
[68] GBK/GAW, para. 5 (7).

Family leave in 2014 which offers individual consultation and support concerning working hours, professional re-orientation and options to increase qualifications. Since 2016, all childcare facilities have offered reduced rates for families with a low income. Moreover, a project about *increased employment of women with a migrant background* was started in 2016 to enhance participation especially of women with a Turkish background.

Article 12 — Health care and reproductive health

305. > see *re 38 and 39*

Focus areas and public funding

306. The *Action Plan on Women's Health* will be another important step towards more gender-responsive healthcare and health promotion for women and girls in different stages of life. The Action Plan contains 40 different measures for these phases — youth, working age and old age — and will be steadily implemented with the help of a number of experts and stakeholders. The Action Plan represents the framework for a coordinated approach of all bodies involved in the promotion of women's health. Furthermore, the Minister for Women and Health provides annual subsidies to health centres for women. In 2015, funding amounted to 75,000 euros.

Breast cancer screening programme

307. A breast cancer screening programme has been offered free of charge since 2014 and mainly targets women between 45 and 69 years of age. The public health insurance card is automatically activated for mammography examinations in women of this age group. In addition to that, 45- to 69-year old women receive an invitation every two years to remind them of their next mammography. The cancer screening programme is a voluntary and free prevention method. Younger and older women can request to receive invitations for the screenings as well.

Domestic violence

308. A working group was established in the context of the *NAP on the Protection of Women against Violence* which aims to integrate the identification and prevention of violence against women into the curricula of health care and nursing professions. Public support is also granted to another project to develop standards for curricula in the health care sector.

309. In 2015, a general requirement was integrated into the professional training programme for doctors which states that awareness should be raised for the special needs of patients who are victims of human trafficking and/or psychological and/or physical violence, especially children, women and people with disabilities.

310. A guide for medical and care professionals with the title *Together against violence against women and domestic violence* was developed in 2015. A short practical documentation form for injuries of victims of violence was developed, which aims to facilitate the demonstration of evidence in criminal proceedings.

Action taken in the federal provinces

311. In **Burgenland**, exhibitions about health for women and girls were held in 2014 and 2015. Moreover, information material was disseminated about how to improve women's mental and physical health.

312. Since 2015, **Salzburg** has provided funding to workshops for multipliers about contraception, offered by the regional centre for women's health.

313. The **Vienna** health promotion programme uses *gender checks* to review their services and funding applications with a view to gender equality. Moreover, a networking forum for victim protection groups, which must be established in hospitals, has existed since 2013. In order to increase the number of Turkish-speaking women who attend annual medical screenings, an information service for women has been offered in Turkish.

Article 13 — Social life, financial independence, sports and culture

314. > see *re 30 and 31, tables 7, 8 and 13*

315. According to EU-SILC data (Statistics on Income and Living Conditions) for the year 2015, women in Austria are at higher risk of poverty or exclusion than men (19 and 16 per cent, respectively). At 18 per cent, female pensioners who live alone have a higher risk of poverty than male pensioners who live alone (14 per cent). Single-parent households — these are mainly single mothers and their children — have the highest risk of exclusion (42 per cent) of all household categories.

316. Among households with children, persons in single-parent households (31 per cent) or in multi-person households with three children or more (24 per cent) have the highest poverty risk. In terms of the main earner in a household, there are considerable differences between men and women. More than 25 per cent of all people live in a household where the main breadwinner is a woman. This group includes women who live alone, single mothers and their children as well as persons in families where a woman makes the largest contribution to the household income. The risk of poverty for these households amounts to 20 per cent. Households with a man as the main earner have a risk of 12 per cent.

Tax reform

317. The 2015 tax reform contains several measures which aim to increase the employment of women and their financial independence and to lead to a better distribution of paid and unpaid work.

318. The reform raised the tax-free child allowance and increased the benefit resulting from splitting childcare allowance between parents. This provision should be an incentive for both parents to achieve a higher income and with this financial security and independence.

319. Moreover, the initial tax rate was reduced, which should also provide an incentive to increase employment. The negative tax was raised, which aims to lower the burden on persons with an income slightly above the minor employment threshold. This should be an incentive to achieve an income above this threshold, which in turn makes it possible to obtain individual social insurance.

Family benefits

320. Family benefits include family allowance, a tax credit for children and compensation payments. Of all recipients of these benefits, 82.5 per cent are the mothers of children for whom benefits can be claimed.

Legal consultation regarding discrimination in access to goods and services

321. Part III of Austria's Equal Treatment Act contains provisions on gender-specific protection against discrimination in access to and supply with goods and services. The GAW carried out a total of 668 consultations on this matter between 2011 and 2015.

322. In order to increase knowledge and awareness among service providers and affected people about the legal scope of the GlBG outside of the working environment, the GAW drew up recommendations on topics such as gender-neutral pricing for hair dressing and protecting driving school students from sexual harassment.

323. Women who are looking for an apartment have been increasingly turned down as tenants if they are pregnant or have children. Therefore, the GAW published information material for counselling centres and other multipliers about equal treatment in housing.

324. In order to encourage young women to fight against sexual harassment in the use of recreational facilities as well as skilled trade and healthcare services, the GAW printed a flyer which was sent to several hundred youth facilities and counselling centres.

Action taken in the federal provinces

325. Planning and building programmes in **Vienna** identify and consider gender-related requirements. The guide *Gender mainstreaming in urban planning and development* shows how gender equality is systematically taken into account in urban planning.

Article 14 — Women in rural areas and their participation in rural development

326. *> see re 40 and 41*

Action taken in the federal provinces

327. In **Carinthia**, the project *Regional ways out of the poverty trap* established counselling and support services for women who are at risk of poverty in rural areas.

328. The government of **Vorarlberg** launched an initiative which has led to the development of a well-functioning regional women's network in recent years. The network's spokeswomen serve as direct contact persons for women in the individual municipalities.

Article 16 — Marriage and family relations

329. *> see re 23a, 35c, 50 and 51, 52 and 53*

Amendments to family law

330. The 2013 Act Amending the Law on the Rights of the Child and the Naming Law[69] mainly strengthened the principle of the child's well-being as well as the rights of *patchwork families* and *rainbow families*. The provisions on joint custody and visiting rights after separation were improved. In order to inform the public about these changes, an information brochure was distributed free of charge. Furthermore, information campaigns about the legal changes were carried out in the individual provinces.

Measures against violence in the family

331. Early victim-oriented perpetrator work is a precondition for sustainable victim protection. Since 2012, public support has been granted to the *Federal Working Group on Perpetrator Work* which works with people who have used violence

[69] BGBl. I no. 15/2013.

against their partners and children. The group developed common standards and new cooperation structures for relevant actors who work with perpetrators. Moreover, a *Working Group on Victim-Oriented Perpetrator Work* was established in the context of the *NAP on the Protection of Women against Violence*. The Group focuses on the nationwide implementation of victim-oriented perpetrator work based on the established standards.

332. Counselling for couples has been offered in a pilot project. This allows women who are at risk of violence and live in women's shelters together with their children to have a supervised conversation with the potential offender if they want to. The project also aims to put men who are willing to use violence in early contact with a facility specialised in working with them.

Action taken in the federal provinces

333. In **Burgenland**, a legal guide for women was published in 2012 which provides information about legal processes and options concerning divorce, custody and maintenance.

334. In **Vienna**, a campaign with on a fairer distribution of household work was launched on equal pay day in 2012 and continued in 2013.